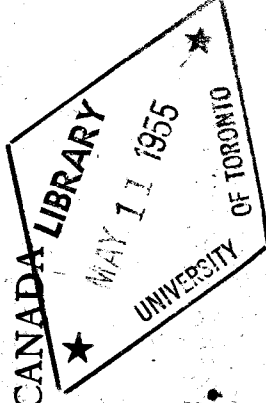


CA1 YB
B37

Second Session, Twenty-Second Parliament, 3-4 Elizabeth II, 1955.

THE SENATE OF CANADA



BILL Y12.

An Act to incorporate The Canadian Union Conference
Corporation of Seventh-day Adventists.

Read a first time, Wednesday, 4th May, 1955.

Honourable Senator ROERUCK.

EDMOND GLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1955

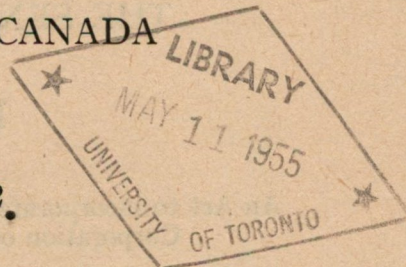
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CA1 YB
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Second Session, Twenty-Second Parliament, 3-4 Elizabeth II, 1955.

THE SENATE OF CANADA

BILL Y¹².



An Act to incorporate The Canadian Union Conference
Corporation of Seventh-day Adventists.

Read a first time, Wednesday, 4th May, 1955.

Honourable Senator ROEBUCK.

THE SENATE OF CANADA

BILL Y¹².

An Act to incorporate The Canadian Union Conference Corporation of Seventh-day Adventists.

Preamble.
1916, c. 56.
1920, c. 103.

WHEREAS a petition has been presented by The Eastern Canadian Union Conference Corporation of Seventh-day Adventists, a corporation incorporated by chapter 56 of the statutes of 1916, and The Western Canadian Union Corporation of Seventh-day Adventists, a corporation 5 incorporated by chapter 103 of the statutes of 1920, praying that the two Corporations be constituted a single body corporate under the name of The Canadian Union Conference Corporation of Seventh-day Adventists, having the same objects and powers as the applicants and such other 10 powers as may be necessary for the purpose of administering in Canada the property, business and other temporal affairs of the Corporation, and it is expedient to grant the prayer of the petition: Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons 15 of Canada, enacts as follows:

Incorporation.

1. Walter Alfred Nelson, of the city of Oshawa, in the province of Ontario, clergyman, Eldon Len Green, of the said city, accountant, John William Bothe, of the city of Moncton, in the province of New Brunswick, clergyman, 20 Henry David Henriksen, of the city of Saskatoon, in the province of Saskatchewan, clergyman, and Albert George Rodgers, of Sidney, in the province of British Columbia, hospital administrator, together with the members of the aforesaid Corporations and such other persons as become 25 members of the religious body hereby incorporated, are hereby incorporated under the name of The Canadian Union Conference Corporation of Seventh-day Adventists, hereinafter called "the Corporation", for the purpose of administering in Canada the property, business and temporal 30 affairs of the Corporation, and for the purposes hereinafter set forth.

- Declaratory. **2.** The Corporation shall be deemed to be the successor of The Eastern Canadian Union Conference Corporation of Seventh-day Adventists and The Western Canadian Union Corporation of Seventh-day Adventists.
- Provisional directors. **3.** The persons named in section 1 of this Act shall be the first or provisional directors of the Corporation. 5
- Directors. **4.** The directors of the Corporation shall consist of the president and the secretary of the Corporation, by virtue of their respective offices, together with not less than five and not more than eighteen directors to be elected from the 10 members of the Corporation.
- Head office. **5.** (1) The head office of the Corporation shall be in the city of Oshawa, in the province of Ontario, or at such other place as may be designated by the Corporation.
- Notice. (2) Notice in writing shall be given to the Secretary of 15 State by the Corporation of any change of the head office and such notice shall be published forthwith in the *Canada Gazette*.
- Objects. **6.** The objects of the Corporation shall be
- (a) to promote, maintain, superintend and carry on by 20 all such means as the directors may deem fit, religious and charitable work, and to unify and extend the interest of the gospel in Canada and the mission fields of the world;
 - (b) to organize, maintain and carry on in any and all 25 parts of Canada, Christian missions, missionary schools and colleges, and to erect and maintain and conduct therein churches, schools, colleges, hospitals, sanitariums, dispensaries, orphanages, camps, cemeteries and homes for the aged; 30
 - (c) to establish, support and maintain a publishing house for the purpose of printing and disseminating literature for the support of the doctrines and faith of the Corporation;
 - (d) to promote the spiritual welfare of all the congrega- 35 tions and mission fields of the world;
 - (e) to promote the erection and purchase of houses of worship and parsonages;
 - (f) to purchase, acquire and hold all property and land useful and convenient for the carrying out of the pur- 40 poses of the Corporation and to sell and dispose thereof;
 - (g) to administer in Canada the property, business and temporal affairs of the Corporation.

By-laws.

- 7.** The Corporation from time to time may make by-laws not contrary to law, for
- (a) the administration, management and control of the property, business and temporal affairs of the Corporation;
 - (b) the appointment, functions, duties and remuneration of all officers, agents and servants of the Corporation; 5
 - (c) the appointment or deposition of executive committees or boards from time to time created for the purposes of the Corporation; and defining the powers and duties of such committees or boards; 10
 - (d) the calling of regular or special meetings of the Corporation, or of the executive committee or of the board of directors;
 - (e) fixing the necessary quorum and procedure to be followed at all meetings referred to in the preceding paragraph; 15
 - (f) determining the qualifications of members;
 - (g) defining and applying the principles, doctrines and religious standards of the Corporation;
 - (h) generally carrying out the objects and purposes of the Corporation. 20

Incidental powers.

8. The Corporation may do all such lawful acts and things as are incidental or as may be conducive to the attainment of its objects.

Committees.

9. The Corporation may exercise all of its powers by and through an executive committee or through such boards or committees as may from time to time be elected or appointed by the Corporation for the management of its affairs. 25

Property vested in the Corporation.

10. All property, real or personal, now owned, used, held, possessed, occupied or enjoyed by The Eastern Canadian Union Conference Corporation of Seventh-day Adventists, a corporation incorporated by chapter 56 of the statutes of 1916, and by The Western Canadian Union Corporation of Seventh-day Adventists, a corporation incorporated by chapter 103 of the statutes of 1920, for their general uses and purposes, shall, as from the coming into force of this Act, be vested in the Corporation, subject however to all such rights, obligations and liabilities with respect to any property so acquired as exist at such a date; and nothing in this section contained shall be deemed in anywise to vary or otherwise affect any trust relating to such property. 30 35 40

Existing trusts continued.

11. Where, prior to the coming into force of this section, any existing trust has been created or declared in any manner whatsoever for any special purpose or object having regard to the teaching, preaching or maintenance of any principles, 45

doctrines or religious standards, or to the support, assistance or maintenance of any congregation or minister or charity, or to the furtherance of any religious, charitable, educational, congregational or social purpose, in connection with the Corporations mentioned in the preceding section, such trust shall continue to exist and to be performed as nearly as may be for the like purposes or objects in connection with the Corporation as the Corporation may determine, and anything done in pursuance of this Act shall not be deemed to be a breach of any such trust but shall be deemed to be in compliance therewith and a performance thereof. 5 10

Powers to
acquire and
hold
property.

12. (1) The Corporation may purchase, take, have, hold, receive, possess, retain and enjoy property real and personal, corporeal and incorporeal, and any or every estate or interest whatsoever, given, granted, devised or bequeathed to it, or appropriated purchased or acquired by it in any manner or way whatsoever, to, for or in favour of the uses and purposes of the Corporation, or to, for or in favour of any religious, educational, eleemosynary or other institution established or intended to be established by, under the management of, or in connection with the uses or purposes of the Corporation. 15 20

(2) The Corporation may also hold such real property or estate therein as is bona fide mortgaged to it by way of security or conveyed to it in satisfaction of debts or judgments recovered. 25

Disposition
of property
by gift or
loan.

13. The Corporation may make a gift of or lend any of its property, whether real or personal, for, or to assist in, the erection or maintenance of any building or buildings deemed necessary for any church, college, manse, school or hospital or for any other religious, charitable, educational, congregational or social purpose upon such terms and conditions as it may deem expedient. 30

Investment
in and
disposal of
property.

14. Subject always to the terms of any trust relating thereto, the Corporation may also sell, convey, exchange, alienate, mortgage, lease or demise any real property held by the Corporation whether by way of investment for the uses and purposes of the Corporation or not; and may also from time to time, invest all or any of its funds, or moneys, and all or any funds or moneys vested in or acquired by it for the uses and purposes aforesaid, in and upon any security by way or mortgage, hypothec or charge upon real property; and for the purpose of such investment may take, receive and accept mortgages or assignments thereof, whether made and executed directly to the Corporation or to any corporation, body, company or person in trust for it; and may sell, grant, assign and transfer such mortgages or assignments either wholly or partly. 35 40 45

Obligation
to dispose
of lands.

15. (1) No parcel of land or interest therein at any time acquired by the Corporation and not required for its actual use or occupation, and not held by way of security, shall be held by the Corporation, or by any trustee on its behalf, for a longer period than ten years after the acquisition thereof, but shall, at or before the expiration of such period, be absolutely sold or disposed of, so that the Corporation shall no longer retain any interest or estate therein except by way of security. 5

Extension
of time.

(2) The Secretary of State may extend the time for the sale or disposal of any such parcel of land, or any estate or interest therein, for a further period or periods not to exceed five years. 10

Fifteen year
limit.

(3) The whole period during which the Corporation may hold any such parcel of land, or any estate or interest therein, under the foregoing provision of this section, shall not exceed fifteen years from the date of the acquisition thereof, or after it shall have ceased to be required for actual use or occupation by the Corporation. 15

Forfeiture of
property held
beyond time
limit.

(4) Any such parcel of land, or any estate or interest therein, not within the exceptions hereinbefore mentioned, which has been held by the Corporation for a longer period than authorized by the foregoing provisions of this section without being disposed of, shall be forfeited to Her Majesty for the use of Canada. 20

Statement.

(5) The Corporation shall give the Secretary of State, when required, a full and correct statement of all lands, at the date of such statement, held by the Corporation, or in trust for it, and subject to the provisions of this section. 25

Application
mortmain
of laws.

16. In regard to any real property which, by reason of its situation or otherwise, is subject to the legislative authority of the Parliament of Canada, a licence in mortmain shall not be necessary for the exercise of the powers granted by this Act; but otherwise the exercise of the said powers shall in any province of Canada be subject to the laws of such province as to the acquisition and holding of lands by religious corporations, in so far as such laws apply to the Corporation. 30 35

Transfer of
property held
in trust.

17. In so far as authorization by the Parliament of Canada is necessary, any person or corporation, in whose name any property, real or personal, is held, in trust or otherwise, for the uses and purposes of the Corporation, or any such person or corporation to whom any such property devolves, may, subject always to the terms and conditions of any trust relating to such property, transfer such property or any part thereof to the Corporation. 40 45

Execution of
documents.

18. Any deed or other instrument relating to real estate vested in the Corporation or to any interest in such real estate shall, if executed within the jurisdiction of the Parlia-

ment of Canada, be deemed to be duly executed if there is affixed thereto the seal of the Corporation and there is thereon the signature of any officer of the Corporation duly authorized for such purpose or of his lawful attorney.

Borrowing
powers.

19. (1) The Corporation may, from time to time, for 5
the purposes of the Corporation

- (a) borrow money upon the credit of the Corporation;
- (b) limit or increase the amount to be borrowed;
- (c) make, draw, accept, endorse, or become party to promissory notes and bills of exchange and every such 10
note or bill made, drawn, accepted or endorsed by the party thereto, authorized by the by-laws of the Corporation, and countersigned by the proper party thereto, authorized by the by-laws of the Corporation, shall be binding upon the Corporation and shall be 15
presumed to have been made, drawn, accepted or endorsed with proper authority until the contrary is shown, and it shall not be necessary in any case to have the seal of the Corporation affixed to any such note or bill; 20
- (d) mortgage, hypothecate or pledge any property of the Corporation, real or personal, to secure the repayment of any money borrowed for the purposes of the Corporation;
- (e) issue bonds, debentures or other securities of the 25
Corporation;
- (f) pledge or sell such bonds, debentures or other securities for such sums and at such prices as may be deemed expedient.

Limitation.

(2) Nothing in the preceding subsection shall be construed 30
to authorize the Corporation to issue any note or bill payable to bearer thereof, or any promissory note intended to be circulated as money or as the note or bill of a bank, or to engage in the business of banking or insurance.

Investment
of funds.

20. The Corporation may invest its funds or any portion 35
thereof, either directly in the name of the Corporation, or indirectly in the name of trustees, in the purchase of such securities as it may deem advisable, and also may lend its funds or any portion thereof on any such securities.

Scope.

21. The Corporation may exercise its functions through- 40
out Canada, and the meetings of the board of directors of the Corporation may be held at any place in Canada.

Repeal of
inconsistent
enactments.

22. Chapter 56 of the statutes of 1916, An Act to incorporate The Eastern Canadian Union Conference Corporation of Seventh-day Adventists, and chapter 103 of the 45
statutes of 1920, An Act to incorporate The Western Canadian Union Corporation of Seventh-day Adventists are repealed